

**Town Board Minutes**  
(Municipal Review Committee )

**Meeting  
No. 16**

**Special Meeting**

**May 3, 2004**

## **Town Board Minutes**

**May 3, 2004**

**Meeting No. 16**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 3<sup>rd</sup> day of May 2004, at 6:30 PM and there were

**PRESENT:** RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR  
REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
MICHAEL MYSZKA, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

**ABSENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT, BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

### **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF**

**PARKHAVEN PATIO HOMES**

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 12± acres.

The location of the premises being reviewed is on the west side of Bowen Road, County of Erie,  
Town of Lancaster, New York.

THE FOLLOWING MOTION WAS OFFERED BY  
COUNCIL MEMBER STEMPNIAK, WHO MOVED  
ITS ADOPTION, SECONDED BY PLANNING  
BOARD CHAIRMAN KEYSA, TO WIT:

To reopen the Municipal Review Committee's original determination in order  
to analyze in greater detail the project sponsor's responses to the potentially large impact  
identified on April 5, 2004.

The question of the adoption of the forgoing motion was duly put to a vote  
which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion to reopen the Environmental Assessment was thereupon adopted.

During the first environmental review of this project, on April 5, 2004, the Municipal Review Committee identified one (1) potentially large impact. The Municipal Review Committee specifically noted that because the project may occur in or near a flood plain there is the potential for a large environmental impact. (See page #237 of the minutes from the year 2004.)

The Municipal Review Committee requested a copy of the project sponsor's FEMA Flood Plain Study be provided to the Town Engineer for his review and analysis related to this project.

The Town Engineer reported that he is satisfied that the current FEMA Flood Plain Study provided by the project sponsor more accurately depicts the flood plain as it currently exists than that depicted on an older map. He is also satisfied that the study and new map follows the procedures of FEMA guidelines. The current study shows that the project is not in the Flood Plain.

THE FOLLOWING MOTION WAS OFFERED BY  
COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER SOCHA, TO WIT:

To rescind the previously adopted Positive Declaration of April 5, 2004.

The question of the foregoing motion was duly put to a vote which resulted  
as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion was thereupon adopted.

THE FOLLOWING MOTION WAS OFFERED  
BY PLANNING BOARD CHAIRMAN KEYSA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER GOBER, TO WIT:

**WHEREAS**, the Town Engineer has received and reported to the  
Municipal Review Committee that in his judgement the project site will not be in the Flood  
Plain and that the Federal Emergency Management Agency (FEMA) will approve the report  
and map as prepared by the project sponsor's engineers, and

**WHEREAS**, the concern regarding the depth to the water table will be  
mitigated by the Town of Lancaster's requirement that individual soil borings be completed for  
each building lot prior to the issuance of a building permit, and

**WHEREAS**, the builder will be prohibited from constructing a house with  
a basement in the flood plain.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the previously adopted large impact has been found to  
have sufficient mitigation as outlined above and is deemed by the Municipal Review  
Committee to now be considered a small to moderate impact.

The question of the foregoing resolution was duly put to a vote which resulted  
as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The resolution was thereupon adopted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD MEMBER SZYMANSKI,  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Municipal Review Committee has heretofore resolved that  
the previously adopted large impact has been found to have sufficient mitigation and is deemed  
by the Municipal Review Committee to now be considered a small to moderate impact.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor  
Town of Lancaster

**SEAL**

May 3, 2004

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby  
authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in  
this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative  
Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and  
with all required New York State and Erie County agencies, filing a copy of the letter of  
transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was  
duly put to a voice vote which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUT	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

May 3, 2004

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED  
BY PLANNING BOARD MEMBER GOBER FOR ADJOURNMENT OF THE MEETING,  
on roll, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:05 P.M.

Signed

  
Johanna M. Coleman, Town Clerk

# **Town Board Minutes**

**Meeting  
No. 17**

**Regular Meeting**

**May 3, 2004**



## ***Town Board Minutes***

May 3, 2004

Meeting No. 16

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 3<sup>rd</sup> day of May 2004 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** DANIEL AMATURA, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
CHRISTINE FUSCO, ASSESSOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **EXECUTIVE SESSION:**

UPON MOTION DULY MADE BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER RUFFINO, to deliberate in Executive Session for the announced purpose of discussing a particular personnel matter resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 9:10 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

## **PERSONS ADDRESSING TOWN BOARD:**

**Campagno, Michael**, 53 Westwood Road, spoke to the Town Board on the following matter:

- Expressed concerns about the proposed rezone of property at 351 Pavement Road by Anastasi trucking from SGA to GI.

**Gull, Henry**, 710 Pavement Road, spoke to the Town Board on the following matters:

- Inquired as to whether the Town has checked with Tops Warehouse about the paper that has blown into his yard.
- Asked if there has been a study regarding the moratorium on hazardous waste.
- Claims Norway rats are still at Tops Warehouse.
- Claims flags (American) are not flying properly at Uniland and wants it corrected.

**Sherry, Timothy**, 62 Rehm Road, spoke to the Town Board on the following matters:

- Thanks the Town Board for the resolution passed by the Town of Lancaster in requesting that the Governor commission a study to determine impacts of the proposed casino in Town of Cheektowaga.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:31 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Town Ordinance entitled "Sidewalks & Streets".

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
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None

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER MONTOUR, FOR ADJOURNMENT OF THE PUBLIC HEARING,, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:32 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 3, 2004

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
April 19, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Village Board held April 21, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	ABSTAINED
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning - Section 24 (B) (1) of the Code of the Town of Lancaster, upon the application of **William Kornacki**, for a Special Use Permit for a used automobile sales business on premises located at 503 Pavement Road in the Town of Lancaster, and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Section 24 (B) (1), entitled "Light Industrial District " of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby deny a Special Use Permit to William Kornacki, for a used automobile sales business on premises located at 503 Pavement Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED IT'S ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17<sup>th</sup> day of May 2004, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before May 6, 2004, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

**LEGAL NOTICE  
PUBLIC HEARING  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of May, 2004, the said Town Board will hold a Public Hearing on the 17<sup>th</sup> day of May, 2004, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46**

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION  
STOPS; YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding  
thereto the following:**

**PINETREE SUBDIVISION**

<b><u>STREET NAME</u></b>	<b><u>INTERSECTING STREET</u></b>	<b><u>SIGN LOCATION</u></b>
Hemlock Lane	Cardinal Court	N.E. Corner
Hemlock Lane	Cardinal Court	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk**

May 3, 2004

File: rtordchpt46stopsigns404



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Homes by Natale, Inc., 2250 Wehrle Drive, Williamsville, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property on 5067 William Street, in the said Town from a Agricultural Residential District (A-R) to Multifamily Residential District Three (MFR-3), and

**WHEREAS**, the petition has been referred to the Planning Board of the Town of Lancaster for review and recommendation and the Planning Board recommended to deny the rezone on the ground that a zoning change was out of character for the surrounding development, and

**WHEREAS**, a Public Hearing on the petition for the proposed rezone was held by the Town Board of the Town of Lancaster on the 9th day of February, 2004, pursuant to Notice duly published and posted, and

**WHEREAS**, full opportunity to be heard was given to all parties in interest, and

**WHEREAS**, a review of the petition and report of the Planning Board and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. That the proposed rezone of the subject premises to a Multifamily Residential District Three (MFR-3) zoning classification is inconsistent with the surrounding development specifically the single family residential character of the neighborhood and would not be consistent with the proposed Master Plan and Zoning Map of the Town of Lancaster, nor will it achieve an orderly and balanced development of the Town.
2. That the property can reasonably be used for R-1 Single Family Residential as it is presently zoned.
3. That the form of ownership proposed may result in real property assessments pursuant to 339-y Real Property Law.
4. That there has been no demonstration that the zoning change would benefit the community as a whole.

**NOW THEREFORE, BE IT**

**RESOLVED**, that based upon the testimony and evidence presented at the Public Hearing and based upon the foregoing findings, the petition of **Homes by Natale, Inc.** be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, a Public Hearing was held on the 3<sup>rd</sup> day of May, 2004 for the purpose of amending Chapter 12, "Sidewalks and Streets", by deleting Section 12.2 (E) in its entirety and enacting in place thereof a new Section 12.2 (E) of the Code of the Town of Lancaster, and

**WHEREAS**, persons for and against such amendment have had an opportunity to be heard, and

**WHEREAS**, a Notice of Public Hearing was duly published and posted, and

**WHEREAS**, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

That Chapter 12 "Sidewalks and Streets", Section 12-2. (E) of the Code of the Town of Lancaster, County of Erie and State of New York, is hereby deleted in its entirety and enacted in place thereof is a new Section 12-2. (E) of Chapter 12, "Sidewalks and Streets" of the Code to read as follows:

#### **CHAPTER 12 - SIDEWALKS AND STREETS**

.....

##### **Section 12-2. Construction standards.**

.....

**E.** All sidewalks shall be no less than four (4) inches in thickness, except that portion which is across a driveway, which shall be six (6) inches in thickness; all sidewalks shall be five (5) feet in width; provided, however, that the Town Board shall have the power to modify the above in all cases.

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 3<sup>rd</sup> day of May, 2004.

3. That a certified copy of this amendment be published in the Lancaster Bee on May 6, 2004.

4. That a certified copy of this amendment be posted on the Town Bulletin Board, and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: ramendmentsidewalkandstreetordinance404a

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT OF CHAPTER 12 - SIDEWALKS AND STREETS  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that Chapter 12, "Sidewalks and Streets", Section 12-2. (E) of the Code of the Town of Lancaster is hereby deleted in its entirety and enacted in place thereof is a new Section 12-2. (E) to read as follows:

**CHAPTER 12  
SIDEWALKS AND STREETS**

**"Section 12-2. Construction standards.**

.....

**E. All sidewalks shall be no less than four (4) inches in thickness, except that portion which is across a driveway, which shall be six (6) inches in thickness; all sidewalks shall be five (5) feet in width; provided, however, that the Town Board shall have the power to modify the above in all cases."**

**May 3, 2004**

**STATE OF NEW YORK       :**  
**COUNTY OF ERIE         :**       ss:  
**TOWN OF LANCASTER    :**

This is to certify that **I, Johanna M. Coleman**, Town Clerk of the Town of Lancaster in the said County of Eric, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 3<sup>rd</sup> day of May, 2004 and that the same is a true and correct copy of said original and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 3<sup>rd</sup> day of May, 2004.

\_\_\_\_\_  
Johanna M. Coleman, Town Clerk

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Anastasi Trucking and Paving Company, 6495 Transit Road, Bowmansville, New York, the contract vendee of a parcel of land located on 351 Pavement Road, Lancaster, New York has petitioned the Town Board of the said Town for the rezone of said property from a Sand Gravel Aggregates (SGA) to General Industrial (GI), and**

**WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17<sup>th</sup> day of May, 2004, at 8:35 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on May 6, 2004, and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

**LEGAL NOTICE  
PUBLIC HEARING  
ANASTASI TRUCKING AND PAVING COMPANY  
351 PAVEMENT ROAD  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the May 3, 2004, the said Town Board will hold a Public Hearing on the 17th day of May, 2004 at 8:35 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from Sand Gravel Aggregates (SGA) to General Industrial (GI):

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 5, Section 5, Township 11, Range 6 of the Holland Land Company Survey, bounded and described as follows:

**BEGINNING** at a point in the centerline of Pavement Road, being also the west line of Lot 5, at the northwest corner of lands acquired by National Fuel Gas by deed recorded in the Erie County Clerk's Office in Liber 4814, Page 222, Parcel 2. Said point being 195.01 feet north of the north line of lands formerly owned by the Delaware, Lackawanna and Western Railroad as measured along said centerline of Pavement Road.

**THENCE** easterly, along the north line of said National Fuel Gas lands a distance of 850.00 feet to a point.

**THENCE** northerly, parallel with the centerline of Pavement Road, distance of 500.00 feet to a point.

**THENCE** westerly, parallel with the north line of said National Fuel Gas lands, a distance of 850.00 feet to a point in the centerline of Pavement Road.

**THENCE** southerly, along the centerline of Pavement Road, a distance of 500.00 feet to the point or place of beginning, containing 9.76 acres, more or less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN**  
Town Clerk

May 3, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Frank Licata, 632 Pleasant View Drive, Lancaster, has applied for a Dumping Permit for property situated at 632 Pleasant View Drive, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Frank Licata, 632 Pleasant View Drive New York 14221 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 632 Pleasant View Drive, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should be aware that if he intends to build on any filled area, the foundation shall be extended to original soil.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
5. Fill area shall be topsoiled and seeded upon completion of filling.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.



7. Dust from the site shall also be prevented from migrating off site.
8. The source of fill will be from Town of Lancaster Highway Department projects.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: RPERMIT.DUM(3-4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, David Smith, 6026 Broadway, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 6026 Broadway, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that David Smith, 6026 Broadway, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 6026 Broadway, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should be aware that if he intends to build on any filled area, the foundation shall be extended to original soil.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road. Driveway for hauling fill shall be stoned with #3 or #4 stone for 50' from the edge of Pavement Road.
5. Fill area shall be topsoiled and seeded upon completion of filling.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.

7. Dust from the site shall also be prevented from migrating off site.
8. Storm runoff shall be directed to the rear of the property.
9. No fill material shall be placed in the existing flood-plain at the rear of the property.
10. The source of fill will be from road excavation material via Pariso Trucking.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: RPERMIT.DUM(3-4)

**PREFILED RESOLUTION NO. 10 - MEETING OF 5/3/04**

Giza/ \_\_\_\_\_

Grant Leave Of Absence To Lynn Harrington

At the request of Supervisor Giza, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the General Crew Chief, by letter dated April 28, 2004, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the spring/summer season of 2004.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to the position of seasonal employees for the spring/summer season of 2004 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Joseph Aquino (new hire) 399 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Jeffrey Au (rehire) 3 Country Place, Lancaster	Recreation Attendant (Playground Attendant)	\$6.50 hr.
Erin Fitzsimmons (rehire) 301 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.50 hr.
Michael Graber (rehire) 4 Fox Hunt Road, Lancaster	Recreation Attendant (Playground Attendant)	\$6.50 hr.
Kara Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.50 hr.
Krista Horn (rehire) 62 Stutzman Road, Bowmansville	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Robert Kocher (new hire) 14 Grace Way, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Adam Koninieć (rehire) 50 Crane Street, Depew	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Christa Kufel (rehire) 30 Pheasant Run Lane, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Katie Maute (rehire) 145 Aurora Street, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Gregory Meyer (new hire) 2 Petersbrook Circle, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Timothy Musielak (rehire) 182 Olmstead Avenue, Depew	Recreation Supervisor	\$8.75 hr.
Michael Papili (rehire) 47 Old Post Road, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Sarah Pfeifer (rehire) 35 Fieldstone Lane, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Amanda Schwach (rehire) 67 Gale Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.65 hr.
Patrick Schunk (rehire) 14 West Payne Street, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.

Jerry Shanley (new hire) 6 Villa Place, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Mike Simme (rehire) 30 Norris Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Amy Skubis (rehire) 233 Seneca Place, Lancaster	Recreation Supervisor	\$8.25 hr.
Angela Skubis (rehire) 233 Seneca Place, Lancaster	Recreation Supervisor	\$8.25 hr.
Colleen Szablewski (rehire) 3538 Walden Avenue, Lancaster	Recreation Supervisor	\$11.50 hr.
Elizabeth Terranova (new hire) 560 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Cassandra Vanecek (rehire) 2117 Como Park Blvd., Lancaster	Recreation Attendant (Playground Attendant)	\$6.65 hr.
Beverly Wedmore (rehire) 2 Via Tripodi, Depew	Recreation Attendant (Playground Attendant)	\$6.65 hr.
Richard Wojciechowski (rehire) 95 S. Irwinwood Road, Lancaster	Recreation Supervisor	\$12.50 hr.
Melissa Young (rehire) 8 Wilma Drive, Lancaster	Recreation Supervisor	\$8.75 hr.
Jacob Bashier (rehire) 120 Cemetery Road, Lancaster	Laborer	\$6.50 hr.
Darryl Davis (rehire) 695 Schwartz Road, Lancaster	Laborer	\$6.25 hr.
Dan Gill (rehire) 40 Lakeside Crescent, Lancaster	Laborer	\$6.25 hr.
Donald Hibbs (rehire) 75 S. Irvinwood Road, Lancaster	Laborer	\$8.75 hr.
Christian Kosmoski (new hire) 61 Old Post Road, Lancaster	Laborer	\$6.00 hr.
Michael Kotwicki (new hire) 246 Stony Road, Lancaster	Laborer	\$6.00 hr.
Kyle Krebs (rehire) 63 Burwell Avenue, Lancaster	Laborer	\$6.50 hr.
Scott Lawniczak (rehire) 23 Woodgate Drive, Lancaster	Laborer	\$6.25 hr.
Jeffrey McDonald (rehire) 58 Rehm Road, Lancaster	Laborer	\$6.50 hr.
Brandon Monin (new hire) 57 Gale Drive, Lancaster	Laborer	\$6.00 hr.
Joe Necci (rehire) 78 Brunck Road, Lancaster	Laborer (Supervisor)	\$9.00 hr.
Nicholas Pokorski (new hire) 703 Pleasant View Drive, Lancaster	Laborer	\$6.00 hr.
Eric Przykuta (rehire) 110 Brunswick Road, Lancaster	Laborer (Supervisor)	\$10.50 hr.
Michael Reformat (rehire) 139 Lake Avenue, Lancaster	Laborer	\$6.25 hr.

Jonathan VanNortwick (rehire) 11 Shadyside Lane, Lancaster	Laborer	\$6.25 hr.
Anthony Yates (new hire) 6 Sugarbush Lane, Lancaster	Laborer	\$6.00 hr.
Andrea Berry (new hire) 420 Hall Road, Elma	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
George Besch (rehire) 39 Lake Avenue, Lancaster	Recreation Supervisor	\$13.00 hr.
Amy Ferrentino (rehire) 10 Tanglewood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.15 hr.
Anthony Fronczak (new hire) 19 S. Irwinwood Road, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
Aaron Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.40 hr.
Kyle Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.15 hr.
Katie Kestel (new hire) 28 Cornell Drive, Depew	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
Jonathan Koziol (rehire) 92 Wilkshire Place, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.65 hr.
Cori Newhouse (rehire) 4 Deerpath Drive, Lancaster	Recreation Supervisor	\$9.00 hr.
Deanna Stengel (new hire) 46 Court Street, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
Collin Wittman (rehire) 45 School Street, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.25 hr.
Samantha Wlostowski (new hire) 104 Olmstead Avenue, Depew	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
Katelyn Banach (new hire) 25 Southwest Parkway, Lancaster	Lifeguard (Substitute)	\$6.50 hr.
Sheralyn Casey (new hire) 1 Robert Drive, Apt. 9, Lancaster	Lifeguard (Substitute)	\$6.50 hr.
Matt Davis (new hire) 695 Schwartz Road, Lancaster	Lifeguard (Substitute)	\$6.50 hr.
Marikate Ellis (rehire) 14 Pheasant Run Lane, Lancaster	Lifeguard	\$7.25 hr.
J. Ryan Fecher (rehire) 78 Impala Pkwy., Lancaster	Lifeguard (Supervisor)	\$9.50 hr.
Samantha Gajewski (new hire) 21 Gale Drive, Lancaster	Lifeguard (Substitute)	\$6.50 hr.
Eric Honsberger (rehire) 9 Lake Forest Pkwy., Lancaster	Lifeguard	\$6.75 hr.
Kelly Jablonski (new hire) 17 Squirrel Run, Lancaster	Lifeguard (Substitute)	\$6.50 hr.
Austin Kelm (new hire) 153 Hinchey Avenue, Depew	Lifeguard	\$6.50 hr.
Ashley Leon (new hire) 1 Matthews Drive, Lancaster	Lifeguard (Substitute)	\$6.50 hr.

Jenna McDonald (rehire) 58 Rehm Road, Lancaster	Lifeguard (Supervisor)	\$8.50 hr.
Jennifer Sajdak (rehire) 8 Cidermill Court, Depew	Lifeguard	\$6.75 hr.
Kristyn Wind (new hire) 26 Schlemmer Road, Lancaster	Lifeguard (Substitute)	\$6.50 hr.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: Rpers.seasonal (P4-7))



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Greenman - Pedersen, Inc., the engineers for the developer Marrano/  
Marc Equity Corporation, Summerfield Farms, Phase 3, have submitted a revised Map Cover  
due to a survey error involving approximately 1.5 feet on William Street, and

**WHEREAS**, the Erie County Health Department and all other approvals remain  
in place, and

**WHEREAS**, the Town Board deems it in the public interest to authorize the  
amendment as submitted to correct the approximately 1.5 foot survey error which does not in  
substance affect the subdivision as approved;

**NOW, THEREFORE, BE IT  
RESOLVED,**

1. That the Town Board of the Town of Lancaster hereby approves the revised  
and amended map cover for Summerfield Farms, Phase III as filed by Greenman - Pedersen, Inc.  
dated December 11, 2003.

2. That the Town Clerk is hereby directed to properly endorse the approval of the  
Town Board of the Town of Lancaster on the linen copy thereof.

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: rsummerfieldfarmsmapcover504

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS,** the Chief of Police of the Town of Lancaster has requested the Town Board to advertise for bids to furnish six (6) new 2004 Police Vehicles, for use by the Police Department, and

**WHEREAS,** the Public Safety Committee of the Town Board has approved such request;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on May 17th, 2004 at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of six (6) new 2004 Police Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: rpolicebids504

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS  
AND/OR  
AUTOMOBILE DEALERS**

**NOTICE IS HEREBY GIVEN** that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 17th day of May 2004, for furnishing six (6) new 2004 Police Vehicles for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN  
Town Clerk**

May 3, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement within Summerfield Farms Subdivision, Phase IIA, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney by letter to the Town Clerk dated April 29, 2004 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within Summerfield Subdivision, Phase IIA, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 583 - Street Lights

and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: RPIP (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 8466 to Claim No. 8678 Inclusive

Total amount hereby authorized to be paid: \$220,894.40

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

11585	Benderson Dev'l Co	6733 Transit Rd	Dem. Walls	
11600	Majestic Pools Inc	151 Peppermint Rd	Er. Pool-In Grnd	
11601	Majestic Pools Inc	151 Peppermint Rd	Er. Fence	
11602	Majestic Pools Inc	101 Pavement Rd	Er. Pool-In Grnd	
11603	Majestic Pools Inc	101 Pavement Rd	Er. Fence	
11604	All Season Builders	307 Enchanted Forest	Er. Res. Add.	
11605	Marrano/Marc Equity	19 Avian Way	Er. Dwlg.-Sin.	
11606	Marrano/Marc Equity	23 Avian Way	Er. Dwlg.-Sin.	
11607	Slawiak, James	143 Belmont St	Er. Shed	
11608	Slawiak, James	143 Belmont St	Er. Fence	
11609	Rich Pools	143 Belmont St	Er. Pool-Abv Grnd	
11610	Pace, James	41 Rue Madeleine	Er. Shed	
11611 SW	Fischione Const. Inc	4978 William St	Er. Dwlg.-Sin.	
11612	Abati, Joseph	43 Sussex Ln	Er. Fence	
11613	Patterson, Patrick	17 Buckingham Ct	Er. Shed	
11614	Town of Lancaster	5462 Broadway	Er. Sign-Temp	(V/L)
11615	Hoffman, Thomas	41 Stony Brook Dr	Er. Shed	
11616	Bork, Roger	23 Southpoint Dr	Er. Shed	
11617	Forbes Homes Inc	14 Chestnut Corner	Er. Dwlg.-Sin.	
11618	Billitier, Anthony	6 Hemlock Ln	Er. Res. Alt.	
11619	J Gun Enterprises Inc	13 Farmview Ct	Er. Pool-Abv Grnd	
11620	Dunne, Gerard	51 Trentwood Trl N	Er. Deck	
11621	Gebera, Michael	44 Lombardy St	Repl. Water Line	(V/L)
11622	Furminger, Douglas	10 Elm Pl	Er. Deck	(V/L)
11623	Bascaglia Decks	18 Partridge Walk	Er. Deck	
11625	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Bldg.	
11626	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.	
11627	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.	
11628	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.	
11629	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.	
11630	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.	

11631	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11632	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11633	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11634	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11635	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11636	Duro-Shed Inc	5 Ann Marie Dr	Er. Shed
11637	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11638	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11639	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11640	North Forest Devel.	2813 Wehrle Dr	Er. Comm. Add.
11641	Skieresz, Mark	6 Bentley Cir	Er. Deck
11642	Decks Etc Inc	47 Trentwood Trl N	Er. Deck
11643	Decks Etc Inc	18 Arrow Trl	Er. Deck
11644	Baltes, James	3638 Walden Ave	Er. Deck
11645	Fenimore Properties	4270 Walden Ave	Er. Sign
11646	Heary, Joe	3 Quail Run Ln	Er. Fence
11647	Wheatley, Wayne	37 Westwood Rd	Er. Shed
11648	Stanley, James	313 Peppermint Rd	Er. Garage
11649	Irish Construction	6 Parkedge Dr	Er. Fence
11650	Majestic Pools Inc	1 Fieldstone Ln	Er. Fence
11651	Majestic Pools Inc	1 Fieldstone Ln	Er. Pool-In Grnd
11652	Duro-Shed Inc	35 Stream View Ln	Er. Shed
11653	Duro-Shed Inc	429 Aurora St	Er. Shed
11654	Iroquois Fence Inc	284 Enchanted Forest	Er. Fence
11655	Duro-Shed Inc	98 Pheasant Run Ln	Er. Shed
11656	Timberline Builders	399 Lake Ave	Er. Res. Add.
11657	Bork, Roger	23 Southpoint Dr	Er. Fence
11658	Michael Bengert Ent.	52 Old Post Rd	Er. Pool-Abv Grnd
11659	Robinson, Barbara	53 Wayne St	Er. Pool-Abv Grnd (V/L)
11660	Thurnherr, Dawn	4846 William St	Er. Pool-Abv Grnd
11661	Majestic Pools Inc	34 Trentwood Trl N	Er. Pool-Abv Grnd
11662	Snyder, Glen	17 Sturm St	Er. Res. Alt. (V/L)
11663	Duro-Shed Inc	24 Old Post Rd	Er. Shed
11664	Boyd, Joseph	36 Spruceland Ter	Er. Fence
11665	Manhattan Bagel	4875 Transit Rd	Er. Comm. Alt.
11666	Duro-Shed Inc	142 Siebert Rd	Er. Shed
11667	Patio Enclosures	185 Schwartz Rd	Er. Res. Add.
11668	Patio Enclosures	81 Wilma Dr	Er. Res. Add. (V/L)
11669	Slivan Pool & Const.	11 Katelyn Ln	Er. Pool-Abv Grnd
11670	City Fence Inc	22 Gale Dr	Er. Fence
11671	City Fence Inc	22 Gale Dr	Er. Shed
11672	Picket Fence & Ext.	7 Windcroft Ln	Er. Fence
11673	Duro-Shed Inc	112 Robert Dr	Er. Shed (V/L)
11674	Harding, Maria	60 Stony Brook Dr	Er. Shed

11675	Marrano/Marc Equity	24 Ashwood Ct	Er. Dwlg.-Sin.	
11676	Majestic Pools Inc	232 Enchanted Forest	Er. Fence	
11677	Majestic Pools Inc	232 Enchanted Forest	Er. Pool-In Grnd	
11678	Albert V. Randaccio	9 Chestnut Corner	Er. Dwlg.-Sin.	
11679	Frasca, Tony	23 Legion Pky	Er. Fence	(V/L)
11680	Wutz, Donald	58 Court St	Er. Deck	(V/L) <i>mp</i>
11681	Rich Pools	5730 Broadway	Er. Pool-Abv Grnd	<del>(V/L)</del>
11682	Advanced Concrete	51 St John St	Inst. Bmnt. Drain	(V/L)
11683	Iroquois Fence Inc	10 Kurtz Ave	Er. Fence	(V/L)
11684	Lucas, Richard	55 Michael Anthony	Er. Fence	
11685	Grisanti, Anthony	1120 Ransom Rd	Er. Shed	
11686	Strychalski, Murty	13 Traceway	Er. Fence	
11687	Picket Fence & Exteriors	73 Country Pl	Er. Fence	
11688	Ford, Eugene	73 Country Pl	Er. Shed	<i>mp</i>
11689	Parco Building Systems	5730 Broadway	Er. Garage	<del>(V/L)</del>
11690	Richter, John	41 Livingston St	Er. Res. Add.	(V/L)

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 3, 2004

File: Rbldg2



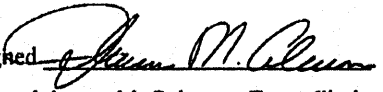
## COMMUNICATIONS & REPORTS:

192. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & Stempniak -  
Request landscaping plan Buffalo Suburban Seventh Day Adventist Church, 5580 Genesee Street; notice of approval regarding landscape plans for Elderwood Health Care at Linwood, 1818 Como Park Boulevard. DISPOSITION = Planning Committee
193. Village of Lancaster to Town Board -  
Minutes of official meeting held March 22, 2004. DISPOSITION = Received & Filed
194. Real Property Services LLC to Town Board -  
Report regarding patio home development 5067 William Street. DISPOSITION = Resolution 5/3/04
195. NYS DEC to Balper Enterprises Inc. -  
Notice of incomplete application regarding Roseland Subdivision, W.S. of Steinfeldt Road. DISPOSITION = Town Attorney
196. Lancaster Volunteer Ambulance Corps to Supervisor -  
Request for annual payment. DISPOSITION = Received & Filed
197. Mr. & Mrs. Tim Langiewicz to Supervisor, Building Inspector -  
Letter expressing complaints of property adjoining 1346 Townline Road. DISPOSITION = Building Inspector
198. Town of Orchard Park Supervisor to Town Board -  
Transmittal of resolution opposing NYS Senate Bill 6056 and Assembly Bill 9556 regarding court revenues. DISPOSITION = Town Attorney
199. City of Buffalo Common Council to Town Board -  
Transmittal of resolution requesting sharing of 1% extra sales tax. DISPOSITION = Received & Filed
200. Town Clerk to Various News Media -  
Notification of SEQR meeting to be held May 3, 2004 at 6:30 P.M. for the purpose of readdressing the Parkhaven Patio Homes project. DISPOSITION = Received & Filed
201. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer -  
Notification of SEQR Review to be held May 3, 2004 at 6:30 P.M. for the purpose of readdressing the Parkhaven Patio Homes project. DISPOSITION = Received & Filed
202. Village of Lancaster to Town Board -  
Official minutes of organizational meeting held April 12, 2004. DISPOSITION = Received & Filed
203. Village of Lancaster to Town Board -  
Official minutes of meeting held April 12, 2004. DISPOSITION = Received & Filed
204. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Building Inspector -  
Draft copy of Planning Board minutes of meeting held April 21, 2004.  
DISPOSITION = Received & Filed
205. Planning Board to Town Board -  
Recommend tabling of Sketch Plan Review for Homes by Natale, 5067 William Street.  
DISPOSITION = Planning Committee
206. Planning Board to Town Board -  
Recommend denial of rezone application for Homes by Natale, 5067 William Street; comment noted. DISPOSITION = Resolution 5/3/04

207. Planning Board to Town Board -  
Adjourn site plan review of Buffalo Suburban Seventh Day Adventist Church, 5580  
Genesee Street, to May 5, 2004 Planning Board Meeting; conditions noted.  
DISPOSITION = Planning Committee
208. Planning Board to Town Board -  
Recommend approval of site plan review for Elderwood Health Care Center, 1818 Como  
Park Boulevard. DISPOSITION = Planning Committee
209. Planning Board to Town Board -  
Recommend approval of rezone application of Anastasi Truck and Paving, 301 Pavement  
Road; comments noted. DISPOSITION = Public Hearing 5/17/04
210. Planning Board to Town Board -  
Recommend resolution regarding Parkhaven Patio Homes, W.S. of Bowen Road across  
from Bell Tower. DISPOSITION = Planning Committee
211. Town of Holland to Town Board -  
Transmittal of resolution approving extension of real property tax payment deadline for  
military personnel ordered to active duty. DISPOSITION = Received & Filed
212. Town Engineer, Building Inspector to Town Board -  
Recommend approval of dumping permit for David Smith, 6026 Broadway.  
DISPOSITION = Resolution 5/3/04
213. Town Engineer, Building Inspector to Town Board -  
Recommend approval of dumping permit for Frank Licata, 632 Pleasantview Drive.  
DISPOSITION = Resolution 5/3/04
214. General Crew Chief to Supervisor -  
Request resolution to hire seasonal employees. DISPOSITION = Resolution 5/3/04
215. General Crew Chief to Planning Board, Council Members Montour, Ruffino & Stempniak  
Comments regarding the landscape plans for Buffalo Suburban Seventh Day Adventist  
Church, CarQuest Distribution Center and Harris Hill Nursing Facility. DISPOSITION  
= Planning Committee
216. Town Line Vol. Fire Department, Inc. to Town Board -  
Invitation to attend the annual Memorial Day Service to be held Monday, May 31, 2004.  
DISPOSITION = Received & Filed
217. Bella Vista Group to Supervisor -  
Inquired as to the status of studies being done in regards to the moratorium on storage  
and handling of regulated waste within the Town of Lancaster. DISPOSITION = Town  
Attorney
218. Lancaster Central School District Transportation Supervisor to Supervisor -  
Requests assistance from the Town in regards to reducing the speed limit on portions of  
William Street. DISPOSITION = Police Chief
219. The National Arbor Day Foundation to Supervisor -  
Notification that the Town of Lancaster has been named as a 2003 Tree City, which is  
a national recognition for the Town's tree-care program. DISPOSITION = Received &  
Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY  
COUNCIL MEMBER STEMPNIAK AND CARRIED,** the meeting was adjourned at 9:10  
P.M.

Signed   
Johanna M. Coleman, Town Clerk